	Application No.	Applicant(s)	
Notice of Allowability	09/608,356	SMIRNOV, YURI	
	Examiner	**Art Unit**	
	Jonathan G. Sterrett	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *9-28-2006*.

2. ☒ The allowed claim(s) is/are *39,50-53,55-64,98-101,103-109,115,116,119 and 131-133*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
      Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
    Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
    of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
    Paper No./Mail Date *20061206* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Examiner's Amendment

1.   An examiner's amendment to the record is attached to the Office Action.

Should the changes and/or additions be unacceptable to applicant, an

amendment may be filed as provided by 37 CFR 1.312. To ensure consideration

of such an amendment, it MUST be submitted no later than the payment of the

issue fee.

Authorization for this examiner's amendment was given in a telephone

interview with Mr. David B. Raczkowski, Reg. 52,145 on 1 December 2006. See

attached interview summary.

Oath/Declaration

2.   The oath or declaration is defective. A new oath or declaration in

compliance with 37 CFR 1.67(a) identifying this application by application

number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the citizenship of each inventor. The inventor of the

instant application, Yuri Smirnov, has indicated citizenship as "None".

3.   The claims below are the pending claims in the application.

Claims 35, 54, 68, 69, 71-76, 78-82, 102, 110, 117-118, and 125-127 are

canceled

Claims 39, 50-53, 55-60, 68, 76, 98, 115, 1129, 125, and 133 are

amended.

1-38. (Canceled)

39. (Currently Amended) A method for selling a configurable

product incorporating at least one feature to be selected by a customer, wherein

the method allows a customer to dynamically interact with a seller of the product

and with a supplier of a feature of the product over a network during the

configuration, the method comprising:

(a)   receiving a feature selection from the customer at a seller;

(b)   updating an inventory library based upon the received

selection to reflect constraints imposed by the received feature selection, the

constraints relating to a technical feature limitation, a price limitation or

availability of the configurable product;

(c)   providing the received selection to a supplier system during

the configuration of the product with the customer, wherein the supplier system is

associated with a supplier of the selected feature, wherein the supplier is

independent from the seller;

(d)   receiving real-time information from the supplier system

comprising at least one of availability date and price for the selected feature, the

information being received by the customer during the configuration;

(e)   wherein when an indication is received from the customer indicating the customer is not satisfied with the availability date or price, providing to the supplier system ~~at least one of a customer desired availability date and~~ a customer-<u>specified</u> ~~desired~~ price for the selected feature;

(f)   providing, to the customer, accommodation data from the supplier system, the accommodation data responsive to ~~the at least one of the customer desired availability date and~~ the customer-<u>specified</u> ~~desired~~ price for the selected feature, wherein the accommodation data includes a second availability date ~~or a second price of the selected feature~~, <u>wherein the second availability date received from the supplier system is in response to the customer-specified price provided to the supplier system</u>;

(g)   updating at least one of a manufacturing bill of materials, a pricing bill of materials, and a configuration bill of materials based on the received selection;

(h)   deriving a manufacturing bill of materials from a configuration bill of materials; and

(i)   mapping each feature represented in the configuration bill of materials to a corresponding hierarchal position in the manufacturing bill of materials, wherein each mapping is capable of being any one of a set of a one-to-one, a many-to-one, a one-to-many, and a many-to-many mapping.

40-49. (Canceled)

50. (Currently Amended) The method of claim ~~35~~ 39, further comprising: repeating the steps of receiving ~~into a configuration engine~~ a ~~selected~~ feature selection, ~~communicating~~ providing to a ~~manufacturer~~ supplier system the selected feature, receiving from the ~~manufacturer~~ supplier system ~~an automated~~ real-time information ~~response including an availability date~~, and updating a number of times until the configuration is complete thereby yielding a completed bill of materials.

51. (Currently Amended) The method of claim ~~35~~ 39, wherein the step of receiving from the ~~manufacturer~~ supplier system ~~an automated~~ real-time information ~~response including an availability date~~ is preceded by the step of communicating the selected feature to a vendor, wherein ~~the~~ a manufacturer obtains materials from the vendor for the selected feature.

52. (Currently Amended) The method of claim ~~35~~ 39, the method further comprising: in response to the received availability date being unsatisfactory to the customer, communicating a customer-specified availability date to at least one of ~~the~~ a configuration engine or the ~~manufacturer~~ supplier system.

53. (Currently Amended) The method of claim ~~35~~ 39, wherein the second availability date received from the ~~manufacturer~~ supplier system is in response to a customer-specified availability date communicated to at least one of ~~the~~ a configuration engine or the ~~manufacturer~~ supplier system.

54. (Canceled)

55. (Currently Amended) The method of claim 35 39, further comprising: deriving, from the an in-process bill of materials, an in-process manufacturing bill of materials that reflects the received availability date that corresponds to the selected feature.

56. (Currently Amended) The method of claim 35 39, wherein the automated real-time information response also includes both a received price and availability date that corresponds to the selected feature.

57. (Currently Amended) The method of claim 56, the method further comprising: in response to the received price being unsatisfactory to the customer, communicating a customer-specified price to at least one of the a configuration engine or the manufacturer supplier system.

58. (Currently Amended) The method of claim 56, wherein the a second price received is in response to a customer-specified availability date communicated to at least one of the a configuration engine or the manufacturer supplier system.

59. (Currently Amended) The method of claim 56, wherein the a second price received is in response to a customer-specified price communicated to at least one of the a configuration engine or the manufacturer supplier system.

60. (Currently Amended) The method of claim 35 39, wherein a relationship between the customer and the seller has a configuration side associated with the customer, and a resource planning side associated with the seller, and the customer-seller relationship is respectively one of a consumer-seller relationship, a seller-supplier relationship and a supplier-vendor relationship.

61. (Previously Presented) The method of claim 60, further comprising:

in response to the price of the selected feature being determined on the configuration side, deriving an in-process pricing bill of materials from the in-process bill of materials, wherein the in-process pricing bill of materials reflects the price of the selected feature; and

in response to the price of the selected feature being determined on the resource planning side, deriving the in-process pricing bill of materials from an in-process manufacturing bill of materials that is derived from the in-process bill of materials and reflects the received availability date of the selected feature.

62. (Previously Presented) The method of claim 39, wherein the pricing bill of materials is derived from the configuration bill of materials.

63. (Previously Presented) The method of claim 39, wherein the pricing bill of materials is derived from the manufacturing bill of materials.

64. (Previously Presented) The method of claim 39, wherein the step (g) of updating at least one of a manufacturing bill of materials, a pricing bill

of materials, and a configuration bill of materials is based upon the

accommodation data from the supplier system.

65-97. (Canceled)

98. (Currently Amended) A system for configuring a product that is

associated with a number of configurable features, wherein the system allows a

customer to dynamically interact with a seller of the product and a supplier of one

or more of the configurable features over a network during the configuration, the

system comprising:

a configuration engine of a seller configured for receiving a

selection of a feature of the product from a customer, the seller being a seller of

the product to the customer;

an inventory library coupled to the configuration engine for

providing the customer a number of the configurable features that can be

selected to configure the product;

a communication module coupled to the configuration engine for

communicating the selected feature from the seller to the supplier, and for

receiving over the network an automated real-time response, including an

availability date of the selected feature, from the supplier to the configuration

engine, the supplier being a supplier of the selected feature to the seller and

being independent from the seller, wherein the communicating and receiving

occur during the configuration with the customer,

a user interface coupled to the configuration engine using the

network, the user interface for providing the automated real-time response to the

customer and for receiving a customer-specified price when the customer is not

satisfied with the availability date of the selected feature;

a price communication module coupled to the configuration engine

for providing a customer-specified price to the supplier;

wherein the configuration engine is configured to receive

accommodation data from the supplier, the accommodation data responsive to

the customer-specified price, wherein the accommodation data includes a

second availability date that is in response to the customer-specified price

provided to the supplier, wherein the user interface is configured to provide the

accommodation data to the customer; and

a first storage area coupled to one of the configuration engine and

the communication module for storing an in-process bill of materials that reflects

the selected feature; and

a manufacturing bill of materials module coupled to the

communication module for deriving a manufacturing bill of materials from the in-

process bill of materials, wherein each feature represented in the in-process bill

of materials is mapped to a corresponding hierarchal position in the

manufacturing bill of materials, wherein each mapping is capable of being any

one of a set of a one-to-one, a many-to-one, a one-to-many, and a

many-to-many mapping.

99. (Previously Presented) The system of claim 98, wherein after

the customer has completed configuring the product, the in-process bill of

materials represents a completed bill of materials.

100. (Previously Presented) The system of claim 98, wherein in response to the availability date being unsatisfactory to the customer, the communication module communicates a customer-specified availability date to the supplier.

101. (Previously Presented) The system of claim 98, wherein the automated real-time response is in response to a customer-specified availability date communicated to the supplier by the communication module.

102. (Canceled)

103. (Previously Presented) The system of claim 98, wherein an in-process manufacturing bill of materials is derived from the in-process bill of materials, and reflects the availability date of the selected feature.

104. (Previously Presented) The system of claim 98, further comprising:

a second storage area coupled to one of the configuration engine and the communication module for storing an in-process manufacturing bill of materials that reflects the availability date of the selected feature; and

a third storage area coupled to one of the configuration engine and the communication module for storing an in-process pricing bill of materials that reflects a price of the selected feature.

105. (Previously Presented) The system of claim 98, wherein the communication module is also for communicating a price of the selected feature from the supplier to the configuration engine.

106. (Previously Presented) The system of claim 105, wherein the communication module comprises:

an availability date communication module for communicating the availability date of the selected feature from the supplier to the configuration engine; and

a price communication module for communicating the price of the selected feature to the configuration engine.

107. (Previously Presented) The system of claim 98, wherein a relationship between the customer and the seller has a configuration side associated with the customer, and a resource planning side associated with the seller, and the customer-seller relationship is respectively one of a consumer-seller relationship, a seller-manufacturer relationship and a manufacturer-vendor relationship.

108. (Previously Presented) The system of claim 107, wherein:

in response to the price of the selected feature being determined on the configuration side, an in-process pricing bill of materials is derived from the in-process bill of materials, wherein the in-process pricing bill of materials reflects the price of the selected feature; and

in response to the price of the selected feature being determined on

the resource planning side, the in-process pricing bill of materials is derived from

an in-process manufacturing bill of materials that is derived from the in-process

bill of materials and reflects the received availability date of the selected feature.

109. (Previously Presented) The system of claim 98, further

comprising:

a user interface coupled to the configuration engine for allowing the

customer to interact with the system..

110-114. (Canceled)

115. (Currently Amended) A computer program product, stored on

a computer-readable medium, for configuring a product that is associated with a

number of configurable features, wherein in response to the computer program

product being executed by a processor, the processor performs the steps of:

receiving a selected product feature from a customer at a seller;

updating an inventory library based upon the received selection to

reflect constraints imposed by the received feature selection, the constraints

relating to a technical feature limitation, a price limitation or availability of the

configurable product;

communicating over a network the selected feature to a supplier

system during the configuration of the product with the customer, wherein the

supplier system is associated with a supplier of the selected feature, wherein the

supplier is independent from the seller;

receiving from a supplier over the network an automated real-time

response to the communicated selected feature including an availability date that

corresponds to the product feature selected by the customer, the supplier being a

supplier of the product feature to a seller and being independent from the seller,

the customer being a customer of the seller, wherein the communicating and

receiving is during a configuration of the product with the customer,

wherein when an indication is received from the customer indicating

the customer is not satisfied with the availability date or price, providing to the

supplier system a customer-specified price for the selected feature;

providing, to the customer, accommodation data from the supplier

system, the accommodation data responsive to the customer-specified price for

the selected feature, wherein the accommodation data includes a second

availability date, wherein the second availability date received from the supplier

system is in response to the customer-specified price provided to the supplier

system, wherein the customer is allowed to dynamically interact with a seller of

the product and with the supplier of the selected feature of the product over a

network during the configuration;

updating at least one of a manufacturing bill of materials, a pricing

bill of materials, and a configuration bill of materials based on the received

selection;

deriving a manufacturing bill of materials from a configuration bill of

materials; and

mapping each feature represented in the configuration bill of

materials to a corresponding hierarchal position in the manufacturing bill of

materials, wherein each mapping is capable of being any one of a set of a one-
to-one, a many-to-one, a one-to-many, and a many-to-many mapping.

116. (Previously Presented) The computer program product of
claim 132, further comprising:

updating a bill of materials to reflect the accommodation received
from the supplier.

117-118. (Canceled)

119. (Currently Amended) The method of claim 35 39, wherein the
availability date received from the manufacturer system over the network is
provided by an enterprise resource planning (ERP) system.

120-130. (Canceled)

131. (Previously Presented) The system of claim 98, where in the
configuration engine is configured for validating a number of constraints
associated with the selected feature, the constraints relating to compatibility
between the selected feature and other features of the product or availability of
the product including the selected feature.

132. (Previously Presented) The computer program product of
claim 115, wherein the processor performs the additional steps of:

in response to the availability date being unsatisfactory to the
customer, communicating over the network a customer-specified availability date

to the supplier; and

receiving from the supplier over the network an automated real-time

response including an accommodation based on the customer specified

availability date.

133.   (Currently Amended) The method of claim 35 39, wherein

the availability date received from the manufacturer system over the network is

provided to or by a supply chain planning (SCP) system.

Allowable Subject Matter

4.   **Claims 39, 50-53, 55-64, 98-101, 103-109, 115, 116, 119, 131-133** are

allowed.

Reasons for Allowance

5.   The following is a statement of reasons for the indication of allowable

subject matter:

None of the prior art of record, taken individually or in any combination,

teach, inter alia,

receiving a feature selection from the customer at a seller;

updating an inventory library based upon the received selection to reflect

constraints imposed by the received feature selection, the constraints relating to

a technical feature limitation, a price limitation or availability of the configurable

product;

providing the received selection to a supplier system during the

configuration of the product with the customer, wherein the supplier system is

associated with a supplier of the selected feature, wherein the supplier is

independent from the seller;

receiving real-time information from the supplier system comprising at

least one of availability date and price for the selected feature, the information

being received by the customer during the configuration;

wherein when an indication is received from the customer indicating the

customer is not satisfied with the availability date or price, providing to the

supplier system a customer-specified price for the selected feature;

providing, to the customer, accommodation data from the supplier system,

the accommodation data responsive to the customer-specified - price for the

selected feature, wherein the accommodation data includes a second availability

date, wherein the second availability date received from the supplier system is in

response to the customer-specified price provided to the supplier system;

updating at least one of a manufacturing bill of materials, a pricing bill of

materials, and a configuration bill of materials based on the received selection;

deriving a manufacturing bill of materials from a configuration bill of

materials; and

mapping each feature represented in the configuration bill of materials to a

corresponding hierarchal position in the manufacturing bill of materials, wherein

each mapping is capable of being any one of a set of a one-to-one, a many-to-

one, a one-to-many, and a many-to-many mapping;

as recited in independent **Claims 39, 98 and 115.**

The novelty of the invention is in the combination of the limitations cited in independent **Claims 39, 98 and 115** and not in any specific individual claim limitation.

The prior art reference most closely resembling the applicants claimed invention is **Henson (U.S. Patent 6,167,383)**. Henson discloses some of the features of the claimed invention, as discussed below. For those features missing from Henson, an unreasonable number of references would be required, so that a person of ordinary skill in the art at the time of the invention would not have been motivated to combine Henson with the required references. Therefore a combination of these features was not reasonably found in the prior art.

The prior art reference most closely resembling the applicants claimed invention is **Henson**.

While **Henson** discloses:

receiving a feature selection from the customer at a seller where an online store application and system is used which includes a configuration module with a user interface for enabling a custom configuration of a computer system based on the options selected according to a prescribed user input; and updating an inventory library based upon the received selection to reflect constraints imposed

by the received feature selection, the constraints relating to a technical feature limitation, a price limitation or availability of the configurable product that uses a configurator, shopping cart, and checkout as part of the commerce application and are driven by the database to provide to the customer via the online store a custom configured machine by selecting from the options listed on the configuration screen where the on-line store application includes configuration, pricing, validation, shipment delay indication, and merchandising modules; and the shipment delay indicator provides the customer with any lead-time warnings or shipment delays which would occur as a result of the selection of specific options; where the warning icon and associated messaging are made present in the configurator once an update/refresh of the web page has been requested; where the online shoppers can click on the warning icon and receive a manually maintained listing of all items currently marked as significantly extending system delivery with an estimated time to delivery; receiving real-time information from the supplier system comprising at least one of availability date and price for the selected feature, the information being received by the customer during the configuration; providing to the customer accommodation data from the supplier system, the accommodation data response to the at least one of the customer desired availability date and the customer desired price for the selected feature, wherein the accommodation data includes a second availability date of a second price of the selected feature; updating at least one of a manufacturing bill of materials, a pricing bill of materials, and a configuration bill of materials based on the received selection;

it lacks,

providing the received selection to a supplier system during the configuration of the product with the customer, wherein the supplier system is associated with a supplier of the selected feature, wherein the supplier is independent from the seller;

where the second availability date received from the supplier system is in response to the customer-specified price provided to the supplier system;

deriving a manufacturing bill of materials from a configuration bill of materials; and

mapping each feature represented in the configuration bill of materials to a corresponding hierarchal position in the manufacturing bill of materials, where each mapping is capable of being any one of a set of a one-to-one, a many-to-one, a one-to-many, and a many-to-many mapping.

as recited in independent **Claims 39, 98 and 115.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Jonathan G. Sterrett whose telephone

number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

JGS

12-06-2006

TARIQ R. HAFIZ
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